

Allowing Eligible Water Right Holders To Create Reservoir Improvement Districts; HB 2685

HB 2685 establishes the procedures to allow eligible water right holders to create a reservoir improvement district on any particular reservoir, similar to a district created by the Watershed District Act. Water right owners and eligible water right holders can petition to form a district if a petition is signed by the owners or holders of more than 20.0 percent of the combined quantities of water rights within the proposed district. Eligible water right holders includes persons who hold a water right according to the Water Appropriation Act, the Water Storage Act, or the Water Assurance Program Act.

If the petition is deemed sufficient by the Secretary of State and approved by the Director of the Kansas Water Office, the steering committee of the proposed reservoir improvement district will hold an election for eligible water right holders in the proposed district to vote either in favor or against the proposed district. If holders of more than 50.0 percent of the combined quantities of water rights within the proposed district vote in favor, the district will be formed.

Once the district has been incorporated, the eligible water right holders will elect a board of three to five directors. Each holder will receive one vote and one additional vote for every 10.0 percent of the combined quantities of water rights that holder has within the district.

The board will be tasked with developing a general plan and an estimate of costs to implement its plan. The Director of the Kansas Water Office will be required to approve the general plan. Upon approval, the board will adopt a resolution that imposes a charge to each eligible water right holder of the district in proportion to each holder's total quantity of water rights to provide funding. The district also can be dissolved by the board.